



GAMA

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**General Aviation
Manufacturers Association**

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August 29, 1997

Federal Aviation Administration
Office of the Chief Council
Attention: Rules Docket [AGC-200 # 28903]
800 Independence Ave, S.W.
Washington, D.C. 20591

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
1997 AUG 29 P 3:40 PM

Subject: Type Certification Procedure for Changed Products, NPRM 97-7, Docket 28903 and Proposed AC 21.101-XX

Dear Ladies and Gentlemen:

The General Aviation Manufacturers Association (GAMA), which represents 52 companies that manufacture and market airplanes, aircraft engines, propellers, avionics and aircraft equipment items, wishes to provide the following comments in response to the subject NPRM 97-7 and associated draft AC21.101-XX.

Review of the Proposed Rule 97-7 and associated draft AC 21.101-XX indicates the FAA has departed significantly from the fully harmonized recommendation for rule change and companion AC 20-1CPTF on the Type Certification Procedures for Changed Aeronautical Products submitted by ARAC to Mr. Anthony J. Broderick, Associate Administrator for Regulations and Certification at FAA on October 14, 1994. In addition, JAA's NPA 21-7 on this matter essentially maintains complete harmonization with the ARAC recommendation. GAMA also finds that NPRM 97-7 and the proposed AC 21.101-XX significantly complicate the plain English utilized by ARAC in its October 14, 1994 submission and this is contrary to key recommendation number 1.4 of the February 12, 1997 Gore Commission Report. For example, the FAA has introduced Section 21.101(e) into the NPRM and the meaning of this Section is very unclear. Also, the FAA has so extensively redrafted the AC 20-1CPTF recommended by ARAC in October 14, 1994, that the meaning and clarity of this document have been lost.

In view of the above, GAMA respectfully submits to the Docket the complete ARAC recommendation dated October 14, 1994, and requests FAA reconsideration of these materials in the development of the final rule.



Another comment that GAMA wishes to recommend for FAA consideration in the development of the final rule on the matter deals with the type certificates issued on many older general aviation airplanes. Airplanes such as the Luscomb, Navion, Taylorcraft, Grumman American Series and many more would be burdened in the significant way if NPRM 97-7 and draft AC21.101-XX were enacted as drafted.

First, the continuous process of refining older in-service airplanes to enhance their safety or maintainability would cease under the influence of the NPRM 97-7, if adopted. This proposed rule would require significantly more extensive and costly changes than currently required under today's regulation each time the in-service product is upgraded under the STC procedures.

Also, the possible re-entry into production of several airplanes with older type certificated would be effectively prevented if NPRM 97-7 were adopted as drafted. Product changes dictated by FAA would be so extensive that newly manufactured products would not be cost effective due to the expense of such changes.

This situation produces two additional adverse impacts as follows:

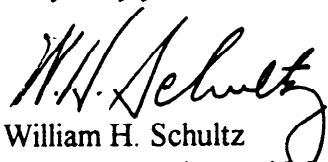
Second, the current airplane owners would be deprived of spare parts and technical assistance essential to the continued airworthiness of their airplanes if the present type certificate holders were prevented from resuming production due to economic reasons. In addition, the present continuous airworthiness burden carried by the FAA on out-of-production products could not be given back to the product manufacturer if production is not resumed.

Third, by its action under NPRM 97-7 and draft AC 21.101-XX if adopted, FAA would effectively render the type certificates for older out-of production airplanes valueless due to the extensiveness of mandated FAA product changes that could be demanded under the adoption of NPRM 97-7 and its related AC.

GAMA therefore recommends the FAA revise its proposed rule on Type Certification Procedures for Changed Products to enable the present STC rules to remain effective for all out-of-production products, regardless of size.

Opportunity to comment on this matter is sincerely appreciated.

Very truly yours,



William H. Schultz
V.P. Engineering and Maintenance

Enclosure



**General Aviation
Manufacturers Association**

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October 14, 1994

Mr. Anthony J. Broderick
Associate Administrator for
Regulations and Certification (AVR-1)
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Dear Mr. Broderick

On behalf of the Aviation Rulemaking Advisory Committee, I am pleased to submit the enclosed recommendations for FAA publication. They are identified as:

1. Draft NPRM, August 29, 1994, "Type Certification Procedures for Changed Product."
2. Draft AC 20-ICPTF, August 24, 1994, "Advisory Material for Establishing the Certification Basis of Changed Aeronautical Products."

It was developed by the ICPTF Working Group chaired by Webb Heath. The membership of the Group is a good balance of interested parties in the U.S., Europe, and Transport Canada. The Group can be made available if needed for docket review.

The JAA advised Mr. Heath in a telephone conversation on October 13, 1994, that a minor difference exists in the Draft AC, but that its nature is such that it will be handled internally by them. Therefore, the package is acceptable to the JAA and should be moved forward.

The members of the ARAC 21 Issues Group discussed and fully endorsed the package at its scheduled meeting October 13, 1994, and asked the FAA be advised to proceed with the issuance process as a non-significant change.

Very truly yours,

James E. Dougherty
Assistant Chairman, Certification
and Procedures Issues Group (ARAC 21)

copy Webb Heath

